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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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27498	7590	12/28/2004	EXAMINER	
PILLSBURY WINTHROP LLP 2475 HANOVER STREET PALO ALTO, CA 94304-1114			KAUFFMAN, BRIAN K	
			ART UNIT	PAPER NUMBER
			3765	

DATE MAILED: 12/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/764,209

Applicant(s)

WATANABE, JOHN S.

Examiner

Brian K Kauffman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-64 and 66-114 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 55 and 112 is/are allowed.
- 6) ☒ Claim(s) See Continuation Sheet is/are rejected.
- 7) ☒ Claim(s) 13, 22-29, 31-38, 42, 45, 69, 78-85, 88-95, 99 and 102 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continuation of Disposition of Claims: Claims rejected are 1-9,11,12,14-21,30,39-41,43,44,46-54,56-64,66-68,70-77,86,87,96-98,100,101,103-111,113 and 114.

DETAILED ACTION

Examiner acknowledges that claims 10 and 65 have been cancelled and that claims 113 and 114 have been added.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-9, 11-12, 14-21, 30, 39-41, 43-44, 46-54, 56-64, 66-68, 70-77, 86-87, 96-98, 100-101, 103-111, and 113-114 are rejected under 35 U.S.C. 102(b) as being anticipated by Minsky (5,956,525). In regard to claim 1, Minsky discloses a system for producing a custom-made garment using specification data for a customer comprising: a base pattern capable of accepting inspection marks and mark lines (fig.5), the mark lines being in accordance with design and fit preferences of the customer; a scanning system for producing an image of the marked base pattern (col. 14, lines 10-16); and a computer system that receives the image of the marked base pattern from the scanning system and determines the locations of the inspection marks and the mark lines therefrom.

In regard to claim 56, Minsky discloses a custom-made garment using specification data for a customer, the method comprising the steps of: providing a base pattern capable of accepting inspection marks and mark lines (fig. 5), the mark lines being in accordance with design and fit preferences of the customer; operating a scanning system for producing an image of the marked base pattern (col.14, lines 10-16); and utilizing a computer system that receives the image of the marked base pattern

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from the scanning system and determines the locations of the inspection marks and the mark lines therefrom.

In regard to claim 109, Minsky discloses a method for creating specification data for use in creating a custom-made garment, the method comprising of: marking a base pattern to contain inspection marks and mark lines (fig. 5), the mark lines being in accordance with preferences of the customer; producing an image of the marked base pattern using a scanning system (col. 14, lines 10-16); and receiving the image of the marked base pattern from the scanning system with a computer system, wherein the computer system is adapted to generate specific data from the image, the specification data representing a design of the marked base pattern and placement and location of the inspection marks.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 8, 9, 63, and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Minsky (5,956,525) in view of Park et al. (5,768,135). Minsky does not disclose a system, which requires the highly visible medium to be erasable, and naturally disappearing. Park et al. does disclose a system, which requires the highly visible medium to be erasable, and naturally disappearing (col. 5, lines 7-10). Requiring the medium to be erasable and naturally disappearing allows the try-on garments to be used more than once. It would have been obvious to one having ordinary skill in the art at the time the invention was made to require the highly visible medium to be erasable and naturally disappearing as suggested by Park et. al. so that the try-on garments may be used more than once.

Allowable Subject Matter

Claims 13, 22-29, 31-38, 42, 45, 69, 78-85, 88-95, 99, and 102 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 55 and 112 are allowed.

The following is an examiner's statement of reasons for allowance:

Claim 13 specifically requires the specification data to utilize a three-dimensional coordinate system. Claims 22 and 23 specifically require that the automated cut and sew machine include a recognition camera and an optional ink jet head attachment.

Claims 24 and 25 specifically require the cutting system to be adapted to, prior to cutting the fabric, mark the fabric using the specification data and verify the accuracy of the marked fabric using the placement and location of the inspection marks.

Claims 26-29, 32-37, 42, and 45 specifically require the cutting system to be adapted to determine a position and angle of the inspection marks relative to the specification data using a calculated position of the fabric within the cutting system.

Claim 31 specifically requires the sewing system to be adapted to inspect the custom-made garment using the placement and location of the inspection marks.

Claim 38 specifically requires the scanning system to include a transparent holder for holding the base pattern during scanning.

Claim 55 specifically requires a transparent holder for holding the favorite garment in a two dimensional manner.

Claim 69 specifically requires the specification data to utilize a three-dimensional coordinate system.

Claims 78 and 79 specifically require the automated cut and sew machine to include a recognition camera and an optional ink jet head attachment.

Claims 80 and 81 specifically require the cutting system to be adapted to, prior to cutting the fabric, mark the fabric using the specification data and verify the accuracy of the marked fabric using the placement and location of the inspection marks.

Claims 82-85, 88-94, 99, and 102, specifically require the cutting system to be adapted to receive the x-y coordinate data, cut fabric according to the received x-y

coordinate data, and inspect the cut fabric using the inspection mark to re-connect imaginary x-y axes and associated imaginary x-y grid over the cut fabric.

Claim 95 specifically requires the scanning system to include a transparent holder for holding the base pattern during scanning.

Claim 112 specifically requires providing a transparent holder for holding the favorite garment in a two-dimensional manner.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

Applicant's arguments filed 10/25/2004 have been fully considered but they are not persuasive.

In regard to claims 1, 52, 56, and 109, the applicant argues that Minsky does not disclose a computer system that receives the image of the marked base pattern from the scanning system and determines the locations of the inspection marks and the mark lines therefrom. The applicant also argues that Minsky does not disclose that the body suit is modified or marked according to a customer's fit and style preferences, nor does Minsky disclose the pieces being scanned into an image system. Minsky does disclose a computer system that receives the image of the marked base pattern from the scanning system and determines the locations of the inspection marks and the mark lines therefrom (col. 13, lines 43-45 and col. 14, lines 10-15). The camera used in

Minsky's system is a scanning device. It scans the image of the body suit and replicates the image on a piece of photographic paper. The computer system then receives the image of the base pattern when the photograph is scanned into the computer. The computer then determines the location of the inspection marks and mark lines from the photograph when it replicates the photograph in a digital image that can be sent to the expert. Minsky also discloses that the body suit is modified or marked according to a customer's fit and style preferences, and Minsky does disclose the pieces being scanned into an image system (col. 10, lines 27-65 and col. 14, lines 10-16). The wide stripes (53) are inspection marks and the measuring tape strips that are placed on the body suit are mark lines. They mark the body suit differently for people of different sizes. Hence, the body suit is marked according to the customer's fit. The pieces of the body suit and marks are scanned into the image system of the camera when the camera takes a picture.

In regard to claims 2 and 57, the applicant argues that Minsky does not disclose generating image data received from the scanning system in a specified file format. Minsky does disclose generating image data received from the scanning system in a specified file format (col. 14, lines 10-16). The only way to convey an image via the internet is by using a specified file format.

In regard to claims 3 and 58, the applicant argues that Minsky does not disclose associating image data with the customer. Minsky does disclose associating image data with the customer (col. 17, lines 26-43). The interpreted data set (which includes

data from the image) and photographs are archived and the name of the customer is used to identify the archive. Hence, the image data is associated with the customer.

In regard to claims 4 and 59, the applicant argues that Minsky does not disclose storing image data in a database. Minsky does disclose storing image data in a database (col. 14, lines 62-66). The sizing data is image data since it is data from the image, and it is entered into a control system, which is a database.

In regard to claims 5, 14, 48, 53, 60, 70, 105, and 110, the applicant argues that Minsky does not disclose that the inspection marks include a point of origin and at least one of a reference point and reference lines associated with the base pattern. Minsky does disclose that the inspection marks include a point of origin and at least one of a reference point and reference lines associated with the base pattern (col. 11, lines 1-39)). The wide stripes are the inspection marks. They each have a point of origin. They also have a reference point and a reference line, which is the center line (52).

In regard to claims 6 and 61, the applicant argues that Minsky does not disclose that the inspection marks and mark lines are made using at least one of a non-erasable medium and a non-removable thread. Minsky does disclose that the inspection marks and mark lines are made using at least one of a non-erasable medium and a non-removable thread (fig. 5). The tape measure strips are non-erasable and the wide lines (52) are meant to be a permanent part of the body suit to aid in the calibration of the mark lines (col. 11, lines 1-19).

In regard to claims 7 and 62, the applicant argues that Minsky does not disclose that the inspection marks and the mark lines are made using a highly visible medium.

Minsky does disclose that the inspection marks and the mark lines are made using a highly visible medium (fig. 5). The tape measure strips and wide stripes (52) are highly visible and thus a highly visible medium.

In regard to claims 11 and 66, the applicant argues that Minsky does not disclose that the computer system is adapted to generate the specification data from the image, the specification data representing a design of the base pattern as adjusted by the mark lines and in relation to the distance from the inspection marks. Minsky does disclose that the computer system is adapted to generate the specification data from the image, the specification data representing a design of the base pattern as adjusted by the mark lines and in relation to the distance from the inspection marks (col. 17, lines 1-25). Data from the image is inputted to the computer. The computer then generates specification data based on that data from the image. Since the inputted data is directly taken from the image, the generated data is based on the image. The specification data is generated based on the measurements of taken from the tape measure strips (mark lines) and their relative distance from the wide stripes (inspection marks). The smaller the relative distance between the mark lines and inspection marks, the more accurate the measurements will be.

In regard to claims 12 and 68, the applicant argues that Minsky does not disclose that the specification data further represents tailor parameters, wherein the tailor parameters are manually entered into the computer system. Minsky does disclose that the specification data further represents tailor parameters, wherein the tailor parameters are manually entered into the computer system (col. 14, lines 63-67 and col. 15, lines 1-

57). The predetermined set of data is tailor parameters, and they are manually entered into the computer system.

In regard to claims 15 and 71, the applicant argues that Minsky does not disclose generating the specification data including creating X-Y coordinate data of the mark lines using the inspection mark to construct imaginary X-Y axes and associated imaginary X-Y grid. Minsky does disclose generating the specification data including creating X-Y coordinate data of the mark lines using the inspection mark to construct imaginary X-Y axes and associated imaginary X-Y grid (fig. 1, col. 8, lines 34-56). The mark lines are the tape measure strips. The inspection marks are the lines of the grid in the background. The photograph taken is the specification data. With the grid in the background, X-Y coordinate data is created. Since the image on the photograph is not real, the X-Y grid in the photograph is an imaginary grid with X and Y-axes.

In regard to claims 16, 49, 72, and 106, the applicant argues that Minsky does not disclose that the computer system stores the generated specification data in a database. Minsky does disclose that the computer system stores the generated specification data in a database (col. 14, lines 62-66). The specification data is entered into a control system, which is a data base.

In regard to claims 17 and 73, the applicant argues that Minsky does not disclose that the database stores information about the customer, and associates the specification data with the customer. Minsky does disclose that the database stores information about the customer, and associates the specification data with the customer (col. 17, lines 26-43). The specification data is archived and the name of the customer

is used to identify the archive. The archive is a database, and the specification data is associated with the customer.

In regard to claims 18 and 74, the applicant argues that Minsky does not disclose that the information about the customer includes at least one of a customer ID, a try-on garment ID, a base pattern ID, and a sample garment ID. Minsky does disclose that the information about the customer includes at least one of a customer ID, a try-on garment ID, a base pattern ID, and a sample garment ID (col. 17, lines 26-43). The specification data is entered into a file that is associated with the customer, thus a customer ID is necessary.

In regard to claims 19 and 75, the applicant argues that Minsky does not disclose a cutting system adapted to receive the specification data, cut fabric using the specification data of the adjusted base pattern, and inspect the cut fabric using the specification data. Minsky does disclose a cutting system adapted to receive the specification data, cut fabric using the specification data of the adjusted base pattern, and inspect the cut fabric using the specification data (col. 17, lines 12-25). The data is used to manufacture the custom fit garment. Cutting and inspecting the fabric are necessary steps in the manufacture of garments, hence Minsky discloses a cutting system adapted to receive the specification data, cut fabric using the specification data of the adjusted base pattern, and inspect the cut fabric using the specification data.

In regard to claims 20 and 76, the applicant argues that Minsky does not disclose that the cutting system is further adapted to inspect the cut fabric using at least one of the design of the base pattern, the image of the marked base pattern, and the locations

does disclose that the computer system include a monitor for displaying the scanned image (col. 14, lines 10-16). The monitor is a necessary element for viewing a scanned image after it is sent over the internet.

In regard to claims 40 and 97, the applicant argues that Minsky does not disclose that the monitor displays one or more of a try-on garment identifier, a base pattern identifier, a sample garment identifier, and a customer identifier. Minsky does disclose that the monitor displays one or more of a try-on garment identifier, a base pattern identifier, a sample garment identifier, and a customer identifier (col. 14, lines 10-16). The element visible in the image of the try-on garment that is displayed on the monitor is a try-on garment identifier.

In regard to claims 41 and 98, the applicant argues that Minsky does not disclose that the computer system includes software for controlling the scanning system and the cutting system. Minsky does disclose that the computer system includes software for controlling the scanning system and the cutting system (col. 14, lines 10-16 and col. 17, lines 17-25). Software controlling the scanner is necessary for the proper function of the scanner. The manufacturing process disclosed includes a cutting system since cutting the garment pattern is necessary for production of the garment. Minsky discloses software for controlling the manufacturing process.

In regard to claims 43 and 100, the applicant argues that Minsky does not disclose that the scanning system is located remotely from the computer. Minsky does disclose that the scanning system is located remotely from the computer (col. 14, lines

of the inspection marks and mark lines. Minsky does disclose that the cutting system is further adapted to inspect the cut fabric using at least one of the design of the base pattern, the image of the marked base pattern, and the locations of the inspection marks and mark lines (col. 17, lines 1-25). As indicated above, cutting the fabric is a necessary step in the manufacture of garments. Minsky discloses manufacturing the garment. The data used by the manufacturing equipment to manufacture the garment includes the design of the base pattern, the image of the marked base pattern, and the locations of the inspection marks and mark lines.

In regard to claims 21 and 77, the applicant argues that Minsky does not disclose an automated cut and sew machine. Minsky does disclose an automated cut and sew machine (col. 17, lines 1-25). The manufacturing of garments requires cutting and sewing machines. Minsky discloses manufacturing the garment using an integrated control system. Since the manufacturing process is controlled by a control system, it is automated. Thus the cutting and sewing machines are automated.

In regard to claims 30 and 86, the applicant argues that Minsky does not disclose a sewing system adapted to sew together the cut fabric to produce the custom-made garment. Minsky does disclose a sewing system adapted to sew together the cut fabric to produce the custom-made garment (col. 17, lines 1-15). Minsky discloses manufacturing the garment. Sewing together the pieces of the cut fabric is necessary for the manufacture of garments.

In regard to claims 39 and 96, the applicant argues that Minsky does not disclose that the computer system include a monitor for displaying the scanned image. Minsky

10-16). Minsky discloses a camera, which is a scanner and is remotely located from the computer.

In regard to claims 44 and 101, the applicant argues that Minsky does not disclose that the cutting system is located remotely from the computer. Minsky does disclose that the cutting system is located remotely from the computer (col. 17, lines 1-25). Minsky discloses manufacturing machinery used for manufacturing a garment. The machinery is located remotely from the computer. The cutting system is part of the machinery since it is necessary equipment for the manufacturing of garments.

In regard to claims 46 and 103, the applicant argues that Minsky does not disclose that the computer system is adapted to generate the specification data from a combination of the image and manually input inspection tolerance data, the specification data representing a design of the base pattern as adjusted by tailor markings and the mark lines and in relation to a distance from the inspection marks. Minsky does disclose that the computer system is adapted to generate the specification data from a combination of the image and manually input inspection tolerance data, the specification data representing a design of the base pattern as adjusted by tailor markings and the mark lines and in relation to a distance from the inspection marks (col. 14, lines 56-67 and col. 17, lines 1-25). The expert uses the data from the image and manually inputs tolerance data from the photograph. The data from the photograph includes tailor markings and mark lines (tape measure) and inspection marks. The computer then generates specification data based on the expert's input, which controls the machinery used in manufacturing the garment.

In regard to claims 47 and 104 the applicant argues that Minsky does not disclose that the design of the base pattern includes specified seam positions in relation to the inspection marks. Minsky does disclose that the design of the base pattern includes specified seam positions in relation to the inspection marks (col. 16, lines 60-65). The crotch is shown in the photograph in relation to inspection marks. The crotch seam position is specified based on the location of the crotch.

In regard to claims 50 and 107, the applicant argues that Minsky does not disclose a cutting system adapted to receive the specification data, cut fabric using the specification data of the adjusted base pattern, and inspect the cut fabric using the specification data. Minsky does disclose a cutting system adapted to receive the specification data, cut fabric using the specification data of the adjusted base pattern, and inspect the cut fabric using the specification data (col. 17, lines 1-15). Minsky discloses manufacturing the garment using control software based on the specification data. The cutting machine, which cuts and inspects the fabric is necessary in the manufacture of garments.

In regard to claims 51 and 108, the applicant argues that Minsky does not disclose that the cutting system is adapted to inspect the cut fabric using at least one of the design of the base pattern, the image of the marked pattern, and the locations of the inspection marks and the mark lines. Minsky does disclose that the cutting system is adapted to inspect the cut fabric using at least one of the design of the base pattern, the image of the marked pattern, and the locations of the inspection marks and the mark lines (col. 17, lines 1-25). The manufacturing machinery is controlled by software that

uses specification data generated from the image of the base pattern which includes the inspection marks and mark lines. The manufacturing machinery includes a cutting system since a cutting system is necessary for the manufacturing of garments.

In regard to claims 54, 111, the applicant argues that Minsky does not disclose that the inspection marks include a reference point to indicate an intended direction of coordinate X-Y axes. Minsky does disclose that the inspection marks include a reference point to indicate an intended direction of coordinate X-Y axes (fig. 1). The reference point is the room itself.

In regard to claims 8-10, 63- 65, the applicant argues that Minsky does not disclose a computer system that receives the image of the marked base pattern from the scanning system and determines the locations of the inspection marks and the mark lines therefrom. As previously shown, Minsky does disclose a computer system that receives the image of the marked base pattern from the scanning system and determines the locations of the inspection marks and the mark lines therefrom (col. 17, lines 1-25). The applicant also argues that Park et al. does not disclose a computer system that receives the image of the marked base pattern from the scanning system and determines the locations of the inspection marks and the mark lines therefrom. However, since Minsky does disclose a computer system that receives the image of the marked base pattern from the scanning system and determines the locations of the inspection marks and the mark lines therefrom, it is not necessary for Park et al. to disclose a computer system that receives the image of the marked base pattern from the scanning system and determines the locations of the inspection marks and the mark

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lines therefrom. The applicant also argues that the markings in Park et al. merely are used to distinguish one garment from another, and not to indicate fit and design preferences of the customer. This argument is moot since Park et al. teaches that the medium should be erasable and naturally disappearing in order to allow the try-on garments to be used more than once. The modification that is taught by Park et al. is a legitimate concern for Minsky's system since the system is used by more than one customer and the body suits might be reused.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian K Kauffman whose telephone number is (571)272-4988. The examiner can normally be reached on M-F every week.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Calvert can be reached on (571)272-4983. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BKK
12/16/04


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